

## **American Iron and Steel**

Projects receiving State Revolving Fund (SRF) or Drinking Water Revolving Fund (DWRP) funding after January 17, 2014, and before September 30, 2014, are required to comply with the American Iron and Steel (AIS) provisions unless the project plans and specifications were approved by the DEQ prior to January 17, 2014, or the project was provided a waiver.

The U.S. Environmental Protection Agency (EPA) has provided strict guidance regarding the AIS. You can read the guidance at [http://water.epa.gov/grants\\_funding/aisrequirement.cfm](http://water.epa.gov/grants_funding/aisrequirement.cfm). In order to comply with AIS, specific AIS contract language must be included in each contract, including purchase agreements. The DEQ has posted a copy of the AIS contract language on our Forms and Guidance web link ([Buy American Boilerplate Contract Language](#)). If final plans and specifications have already been advertised for bid, an addendum or change order containing the required contract language must be issued.

The EPA strongly recommends the use of a step certification, similar to one used by the Federal Highway Administration. The final manufacturer can also certify that the manufacturing process occurred in the United States. Refer to the EPA guidance above for more detail (see page 9). Review of the certification(s) may occur during site visits of the project by the EPA, DEQ, or contracted staff.

If use of a noncompliant iron and/or steel product is permanently incorporated into a project, one or more of the following can occur:

1. Request a waiver where appropriate.
2. Require the removal of the non-domestic item.
3. Withhold payment for all or part of the project.

If you have any questions, please contact our office.